



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of )  
 )  
CHIEN HO, et al. ) Group Art Unit:  
 )  
Serial No.: 09/986,633 ) Examiner:  
 )  
Filed: November 9, 2001 )  
 )  
For: LOW OXYGEN AFFINITY MUTANT )  
HEMOGLOBINS )

PETITION REGARDING DEPOSIT OF DRAWINGS

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicants, through its attorneys, hereby petitions the Commissioner for confirmation of the filing date of the above-referenced application. This petition is being filed in response to the "Notice To File Corrected Application Papers" mailed January 23, 2002, ("Notice"), and it is respectfully submitted that the present petition filed on Monday, March 25, 2002 is filed within two (2) months of the mailing date of the Notice.

The Notice states that Figures 1A and 1B "appear to have been **omitted** from the application." It is respectfully submitted that Figures 1A and 1B were in fact deposited on November 9, 2001 via hand delivery in the U.S. Patent and Trademark Office at the Customer Window located at 2011 South Clark Place and a postcard receipt therefor was date stamped. The facts in support of this Petition are as follows;

03/27/2002 JBL:THW 00000034 09988833  
00/26/2002 000018556  
130.00 DP  
01 FC:122

1. A copy of the postcard receipt for the above-referenced application showing receipt of "20 sheets of drawings" stamped "Nov 09 2002" by the personnel at the Customer Window is attached hereto as Attachment A;
2. The undersigned personally reviewed and counted the complete application papers prior to personally stapling the complete application together. It is the undersigned attorney's regular practice to count all pages of an application several times using the number of pages indicated on the postcard and also on the application transmittal letter. The undersigned's regular practice is to count original pages after they are removed from the photocopy machine after duplication.
3. A copy of Figures 1A and 1B with labels on the reverse sides are attached (Attachment B);
4. A copy of the Notice is attached (Attachment C);
5. A copy of a Check for the \$130.00 petition fee is attached. Any additional fees should be charges to Deposit Account No. 18-0582; a duplicate copy is attached.
6. The undersigned, being warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that,

willful false statements may jeopardize the validity of the subject application or any registration resulting therefrom, declares that the facts set forth in this Petition are true; all statements made of her own knowledge are true, and all statements made on information and belief are believed to be true.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "M. E. Buckles", is written over a horizontal line.

Mary-Elizabeth Buckles  
Registration No. 31,907

REED SMITH LLP  
Attorneys for Applicants

Mary-Elizabeth Buckles  
1301 K Street, N.W.  
Suite 1100 - East Tower  
Washington, D.C. 20005  
(202) 414-9267

Filed: March 25, 2002